

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

In re Application of: **MCCARTHY ET AL.**  
Serial No.: **10/779,402**  
Filed: **FEBRUARY 13, 2004**  
For: **COMMUNICATIONS SYSTEM PROVIDING SERVER LOAD  
BALANCING BASED UPON WEIGHTED HEALTH METRICS  
AND RELATED METHODS**

Sir:

Transmitted herewith is an INFORMATION DISCLOSURE STATEMENT in the above-identified application.

1. ☐ This IDS is submitted under 37 C.F.R. § 1.97. No fee is required.
2. ☐ This IDS is submitted under 37 C.F.R. § 1.97(c). Enclosed is a check in the amount of \$ 180.00.
3. ☒ This IDS is submitted under 37 C.F.R. § 1.97(c) and (e). No fee is required.
4. ☐ This IDS is submitted under 37 C.F.R. § 1.97(d) and (e). Enclosed is a check in the amount of \$130.00 to cover the petition fee.
5. ☒ The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.
6. ☒ Please associate this application with Customer No. 27975.

**\*27975\* 27975**

PATENT TRADEMARK OFFICE

Date: January 10, 2008



David S. Carus  
Reg. No. 59,291

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                |   |                            |
|--------------------------------|---|----------------------------|
| In re Patent Application of:   | ) |                            |
| MCCARTHY ET AL.                | ) |                            |
|                                | ) |                            |
| Serial No. 10/779,402          | ) | Examiner: MINH CHAU NGUYEN |
|                                | ) |                            |
| Confirmation No. 2799          | ) | Art Unit: 2145             |
|                                | ) |                            |
| Filing Date: FEBRUARY 13, 2004 | ) |                            |
|                                | ) |                            |
| For: COMMUNICATIONS SYSTEM     | ) |                            |
| PROVIDING SERVER LOAD          | ) |                            |
| BALANCING BASED UPON           | ) |                            |
| WEIGHTED HEALTH METRICS        | ) |                            |
| AND RELATED METHODS            | ) |                            |
|                                | ) |                            |

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SUBMISSION OF AN INFORMATION  
DISCLOSURE STATEMENT UNDER §1.97(c) & (e)

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a form PTO-1449 listing a reference which may be considered material to the examination of the above-identified application. A copy of the reference is also enclosed.

Pursuant to §1.97(e), Applicants, by and through their undersigned attorney, certify pursuant to 37 CFR §1.97(e) that either:

(1) each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or

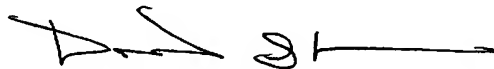
In re Patent Application of:  
**MCCARTHY ET AL.**  
Serial No. 10/779,402  
Filed:      **FEBRUARY 13, 2004**

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(2) no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Applicants respectfully request that the reference cited herein be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR §1.97(c) and (e).

Respectfully submitted,



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